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**From:** Philip Milton  
**Sent:** 12/17/2010 06:38 AMEST  
**To:** Andrew Stewart  
**Subject:** Fw: Dec. 17 -- BNA, Inc. Daily Environment Report

I'm sure you know about this, but here's a interesting article.

*Enforcement*  
**Cabot Oil & Gas to Pay \$4.1 Million To Pennsylvania Families With Tainted Wells**

PHILADELPHIA The 19 families in northeastern Pennsylvania's Dimock Township whose water wells are contaminated with methane gas will receive a total of \$4.1 million from Houston-based Cabot Oil & Gas Corp., under terms...

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Friday, December 17, 2010 Number 241

**NEWS**

*Air Pollution*  
**Colorado Gives Final Approval to Plan To End Coal Use in Denver Metro Area**

DENVER The Colorado Public Utilities Commission (PUC) issued a final written order Dec. 15, approving a \$1.4 billion emissions reduction plan for Xcel Energy that will bring about the end of coal-fired power generation in the Denver...

*Air Pollution*  
**EPA Requires More Lead Air Monitoring, Tightens Threshold to Half Ton Annually**

The Environmental Protection Agency will require state agencies to monitor industrial facilities that emit 0.5 ton of lead annually or more, half the previous monitoring threshold, according to a final rule released Dec. 15....

*Air Pollution*  
**Report Predicts Few Power Plant Closures From Pending EPA Transport, Toxics Rules**

Coal-fired power plants would be forced to close 39 gigawatts of generating capacity nationwide by 2015 as a result of pending Environmental Protection Agency rules requiring power plants to control emissions of sulfur dioxide, nitrogen...

*Air Pollution*  
**Senate Approves Reauthorization Of Grants to Clean Up Diesel Engines**

The Senate passed legislation Dec. 16 that would reauthorize grants to state, local, and tribal governments for programs to reduce emissions from existing diesel engines....

*Climate Change*  
**EPA Sends OMB Federal Plan to Facilitate Greenhouse Gas Permitting in All States**

The Environmental Protection Agency Dec. 15 sent a final rule to the White House Office of Management and Budget that would ensure that every state has the authority to issue permits to large new and modified sources for greenhouse gas emissions...

*Climate Change*

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**EU Negotiators Reach Agreement That Would Establish Emissions Limits for Vans by 2017**

BRUSSELS An informal agreement put in place by EU institutions Dec. 15 would require vans and light commercial vehicles in the European Union to meet new carbon dioxide emissions limits by 2017....

*Climate Change*

**Japanese Prime Minister Unveils Tax Plan With Carbon Tax, Higher Rates on Oil, Coal**

TOKYO Prime Minister Naoto Kan's cabinet Dec. 16 approved a fiscal 2011 tax reform plan marked by corporate tax cuts, higher personal income taxes for affluent earners, and, for the first time, an environmental levy....

*Climate Change*

**Kansas Department of Environment Approves Air Permit for New Coal-Fired Power Plant**

ST. LOUIS The Kansas Department of Health and Environment on Dec. 16 approved an air quality permit for a proposed expansion of a coal-fired power plant in western Kansas....

*Climate Change*

**Rockefeller to Seek Senate Vote in 2010 On Bill to Suspend EPA Greenhouse Rules**

Sen. Jay Rockefeller (D-W.Va.) announced Dec. 16 that he will seek a Senate vote before the end of the year on his legislation (S. 3072) for a two-year delay in the Environmental Protection Agency's implementation of greenhouse gas emissions...

*Congress*

**Rahall Top Democrat on Transportation Committee**

House Democrats voted Dec. 16 to officially make Rep. Nick Rahall (D-W.Va.) the ranking member of the House Transportation and Infrastructure Committee when the 112th Congress convenes in January. Rahall, currently chairman of the House...

*Congress*

**Upton Names Six Subcommittee Chairmen; Will Focus on Cost of Environmental Rules**

Rep. Fred Upton (R-Mich.), the next chairman of the House Energy and Commerce Committee, announced Dec. 16 his picks to run the panel's six subcommittees....

*Drinking Water*

**Senate Approves Cut in Lead for Pipes, Fixtures**

The Senate passed by unanimous consent Dec. 16 the proposed Reduction of Lead in Drinking Water Act (S. 3874), a bill to lower the permissible amount of lead in pipes and fixtures that qualify as "lead free." The bill would cut the limit...

*Emissions Trading*

**EU Committee Provisionally Approves Rules For Allocating Free Emissions Allowances**

BRUSSELS Legislation governing the distribution after 2012 of free carbon emissions allowances to participants in the European Union's cap-and-trade system was provisionally approved by an EU regulatory committee Dec....

*Endangered Species*

**Federal Judge Orders New Biological Opinion For Delta Smelt, Criticizes Sloppy Science'**

LOS ANGELES A federal court on Dec. 14 ordered the U.S. Fish and Wildlife Service to draft a new protection plan for the threatened delta smelt in the Sacramento-San Joaquin River Delta, largely ruling in favor of the water users that...

*Energy*

**EIA Forecast Doubles Shale Gas Estimate, Predicts Slow Growth in Carbon Emissions**

The Energy Information Administration Dec. 16 released a long-range U.S. energy forecast that doubles the estimated resource base for natural gas produced from shale formations, based on the recent boom in shale gas drilling and new discoveries....

*Energy*

**FERC Approves Midwest Utility Plan To Spread Transmission Costs Among States**

The Federal Energy Regulatory Commission Dec. 16 approved a proposal designed to encourage the building of new transmission lines in the Midwest to serve wind energy projects, but some states and utilities are not pleased with the cost-sharing...

*Energy*

**Interior, Energy Departments Identify 'Solar Energy Zones' in Six Western States**

The Obama administration announced Dec. 16 it had identified proposed "solar energy zones" on public land spanning six Western states for which large-scale solar energy projects would receive expedited permitting and other preferential...

*Enforcement*

**Cabot Oil & Gas to Pay \$4.1 Million To Pennsylvania Families With Tainted Wells**

PHILADELPHIA The 19 families in northeastern Pennsylvania's Dimock Township whose water wells are contaminated with methane gas will

receive a total of \$4.1 million from Houston-based Cabot Oil & Gas Corp., under terms...

*Enforcement*

**California Company Fined \$82,400 for Claim Of Nano Properties in Marketing Air Purifier**

LOS ANGELES The Environmental Protection Agency said Dec. 15 it had fined a Monterey Park, Calif., company \$82,400 for allegedly marketing unregistered and misbranded pesticides and making false claims about the performance of...

*Hazardous Waste*

**EPA Removes Saccharin From Lists Of Hazardous Wastes Under RCRA, CERCLA**

The Environmental Protection Agency will remove saccharin and its salts from its lists of materials that are considered hazardous wastes when discarded, according to a final rule to be published in the Federal Register Dec. 17....

*Hazardous Waste*

**Massachusetts Issues Draft Guidance On Vapor Intrusion Assessment, Mitigation**

BOSTON The Massachusetts Department of Environmental Protection has released draft guidance on the assessment and mitigation of vapor intrusion pathways at sites contaminated with oil and hazardous materials....

*Invasive Species*

**Genetic Testing Part of Federal Carp Plan For 2011; Michigan Appeals Ruling on Locks**

LANSING, Mich. The development and refinement of genetic testing, including the use of environmental DNA as a tool for monitoring and tracking Asian carp in waterways leading to the Great Lakes, are among strategies the Obama administration...

*Oil Spills*

**National Panel Says Sand Berms Ineffective In Blocking Oil From Deepwater Horizon Spill**

HOUSTON Louisiana's plan to use sand barriers to capture oil from the Macondo well before it could damage coastal areas was an ineffective spill response measure that trapped only a "miniscule" amount of crude, the staff...

*Pesticides*

**EPA to Issue Chlorpyrifos Risk Assessment, Request Comments in Response to Lawsuit**

The Environmental Protection Agency has agreed to conduct a preliminary human health risk assessment by June 2011 for the pesticide chlorpyrifos and to request public comments on its assessment in hopes of ending litigation with environmental...

*Pesticides*

**Inspector General Says EPA Not Assessing Effectiveness of Hospital Disinfectants**

Hospitals may be using disinfectants that have not been fully tested to verify their effectiveness in killing disease-causing microbes, according to a report the Environmental Protection Agency's Office of Inspector General released...

*Pipeline Safety*

**PHMSA Issues First Recommendations On Development Near Transmission Pipelines**

The Pipeline and Hazardous Materials Safety Administration released new safety guidelines Dec. 16 aimed at helping local governments, developers, and community planners better protect areas near transmission pipelines....

*Right to Know*

**Annual EPA Inventory Highlights Reduced Releases From Chemical, Electronics Makers**

The latest annual Toxics Release Inventory analysis from the Environmental Protection Agency shows declines in the releases of toxic materials during 2009, although some of the decline might reflect slumps in manufacturing....

*Risk Assessment*

**Draft Immunotoxicity Guidance Published**

Risk assessors, regulators, and other interested parties can comment on Guidance for Immunotoxicity Risk Assessment for Chemicals through Jan. 31. Published by the U.N. World Health Organization, International Labor Organization, and...

*Science Policy*

**Federal Oversight of Synthetic Biology Needed to Ensure its Products Do No Harm**

Federal oversight of research and development in the field of synthetic biology is needed to help ensure that the discipline yields anticipated biofuels, chemicals, medication, and other beneficial products without harming human health,...

*Toxic Substances*

**Massachusetts Adopts Limited Ban On Bottles, Sippy Cups With Bisphenol A**

BOSTON The Massachusetts Public Health Council has voted to ban the production or sale of reusable food and beverage containers which

contain bisphenol A (BPA) and are intended for use by toddlers and babies, such as sippy cups and baby...

*Transportation*

**Performance Measures Need Greater Role  
In State Transportation Planning, GAO Says**

Congress should consider mandating that states update their transportation plans on a regular basis and work with the Department of Transportation to develop performance measures for those plans, the Government Accountability Office...

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**DECEMBER 16 FEDERAL REGISTER**

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